

S/N 09/096,749

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shohei Koide

Examiner: Unknown

Serial No.: 09/096,749

Group Art Unit: 1643

Filed: June 12, 1998

Docket: 109.034US1

Title: ARTIFICIAL ANTIBODY POLYPEPTIDES

COMMUNICATION UNDER 37 CFR § 1.821

#3 9/16/98  
T. Bray

BOX SEQUENCE

Assistant Commissioner for Patents  
Washington, D.C. 20231

In response to the "Notice to File Missing Parts of Application" and accompanying "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated July 7, 1998 (copy enclosed), a SEQUENCE LISTING, to conform the above-referenced application to the requirements of §1.821 through §1.825, is submitted herewith.

In accordance with Rule 1.821(e), a copy of the above-submitted SEQUENCE LISTING in ASCII computer readable form is also submitted herewith. It is respectfully submitted that the contents of the paper version of the SEQUENCE LISTING and the computer readable form being submitted herewith are the same.

It is further submitted that the paper copy of the SEQUENCE LISTING and the computer readable form of the SEQUENCE LISTING do not represent new matter.

Respectfully submitted,

SHOHEI KOIDE

By his Representatives,  
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6961

Date 28 August 1998

ASV:jsf

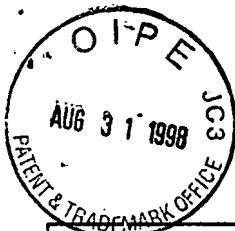
By

Ann S. Viksnins  
Ann S. Viksnins  
Reg. No. 37,748

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on August 28, 1998.

Ann S. Viksnins  
Name

Ann S. Viksnins  
Signature



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/096,749 06/12/98 KOIDE S 109,034US1

021136 0232/0707  
SCHWEGMAN LUNDBERG WOEßNER & KLUTH  
P O BOX 293E  
MINNEAPOLIS MN 55402

NOT ASSIGNED

1643

DATE MAILED:

07/07/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of Items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 0.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box: Missing Parts."

**A copy of this notice MUST be returned with the reply.**

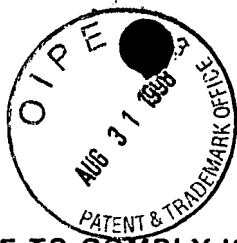
Schwegman, Lundberg,  
Woessner & Kluth, P.A.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

JUL 14 1998

PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED



Application No.: 09/096749

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7 Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



disk Box SER  
1643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shohei Koide  
Title: ARTIFICIAL ANTIBODY POLYPEPTIDES

Docket No.: 109.034US1  
Filed: June 12, 1998  
Examiner: Unknown

Serial No.: 09/096,749  
Due Date: September 7, 1998  
Group Art Unit: 1643

RECEIVED

SEP 03 1998

MAIL ROOM  
SERVICE CENTER

BOX SEQUENCE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

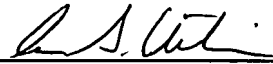
We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ Communication Under 37 CFR 1.821 (1 pg.)
- ☒ Copy of "Notice to File Missing Parts of Application" and accompanying "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated July 7, 1998 (2 pgs.)
- ☒ Sequence Listing (38 pgs.)
- ☒ Computer readable form of Sequence Listing (1 diskette.)
- ☒ A return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described above, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 28th day of August, 1998.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Atty: Ann S. Viksnins  
Reg. No. 37,748

(GENERAL)